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U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

February 15, 2007

BY HAND DELIVERY

The Honorable Paul A. Crotty
United States District Judge
United States Courthouse
500 Pearl St., Room 735
New York, NY 10007

Re: Topete v. Gildea, et al., 08 Civ. 1285 (PAC)

Dear Judge Crotty:

SO ORDERED: FEB 19 2008

HON. PAULA A. CROTTY
UNITED STATES DISTRICT JUDGE

This Office represents defendant Patrick A. Gildea, an employee of the United States (the "Government"), in the above-referenced civil action, which was removed to this Court from New York state court on February 8, 2007. Under Rule 81(c)(2) of the Federal Rules of the Civil Procedure, the Government has until February 15, 2008 to respond to plaintiff Ms. Topete's Verified Complaint in this matter (the "Complaint"). I respectfully request that the time for the Government to respond to the Complaint be extended by 60 days, from February 15, 2008 to April 16, 2008, to enable the Government to investigate fully the relevant circumstances and to proceed with seeking a possible resolution of this matter without requiring further judicial intervention. Counsel for plaintiff consents to this request.

This is the Government's first request for an extension in this action. As no scheduling order has been entered, granting this request for an extension will not have an effect on any existing deadline in this action. I thank the Court for its consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:

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